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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,906	10/18/2001	Kevin Owen	10012753-1	8521

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EXAMINER	
SAJOUS, WESNER	

ART UNIT	PAPER NUMBER
2676	

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/982,906	OWEN, KEVIN	
	Examiner	Art Unit	
	Sajous Wesner	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23,26,28,29,31 and 32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23,26,28,29,31 and 32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is responsive to the response filed on 5/2/05. Claims 1-23, 25, 26, 28, 29, 31-32.

Response to Arguments

1. Applicant's arguments with respect to claims 1-23, 5, 26, 28, 29, 31-32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-23, 5, 26, 28, 29, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa (US 6486968) in view of Inoue (US 4714940).

Considering claim 1, Nishikawa discloses a CPU (12, fig. 1) that receives from a user a selection (18) information about the status of a printer and facilitate the transmission of the status information of the printer to a host computer (3000, as depicted in fig. 1), wherein the image representing the status of the printer is selected and displayed by the host computer. See col. 1, line 62 to col. 2, line 14, and col. 5, lines 30-67, wherein the image representing the status of the printer corresponds to the graphical data representing a graphic to be transmitted to an electrical device, as

claimed. See also figs. 2-4. What is lacking by Nishikawa is the claimed displaying on the electrical device that is printer or photocopier the graphical data representing a graphic.

Inoue discloses displaying on the electrical device that is photocopier the graphical data representing a graphic. See col. 6, lines 15-32, and col. 7, lines 35-40.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication between the printer and the host computer in Nishikawa to include the display of graphics data on an electrical device such as a photocopier, in the same conventional manner as taught by Inoue; in order to provide an image processing apparatus whereby, in case of obtaining a hard copy from an image displayed on a display surface, the optical system in the image processing apparatus is arranged at a location where its contrast become maximum, thereby enabling a clear copy with high contrast to be derived. See Inoue's col. 6, lines 38-43.

As per claim 2, Nishikawa discloses receiving an identification of a location of the graphical data (see col. 1, lines 55-62, column 2, lines 24-31, col. 2, line 66-col. 3, line 4 and lines 38-43 each disclose detecting means comprising detecting paper transmitted position, and animation that simulate the transport of the paper sheet).

As per claim 3, Nishikawa discloses wherein the graphical data (e.g., graphic data is represented as images and graphics- column 4, lines 45-57) is located at a

remote location that is accessible via a network (Nishikawa teaches a network such as a LAN of figure 1 and column 4, lines 45-57).

As per claim 4, Nishikawa discloses wherein facilitating transmission of the graphical data comprises transmitting the graphical data along with a print job to be performed by the electrical device (column 5, line 52-column 6, line 10 disclose at least printer indicators followed by test printing).

As per claim 5, Nishikawa discloses wherein the graphical data comprises two or more frames in GIF89a format that can be displayed in sequence to create an animation (column 2, lines 23-31 disclose a start and ending animation control simulating the transportation of the paper sheet).

As per claim 6, Nishikawa discloses receiving a user selection as to when the graphic is to be displayed by the electrical device and transmitting an indication of that selection to the electrical device (see at least column 2, lines 24-31).

As per claim 7, Nishikawa discloses receiving a user selection as to when the graphic is to be displayed comprises receiving an indication of an electrical device state during which the graphic is to be displayed (figures 8-16 disclose the graphical device state of the printing paper transport status (please see column 7, lines 31-39) that are based on the control flow process of the printer control system- see figures 2-4 - and column 5, line 52-column 6, line 10).

As per claim 8, Nishikawa discloses the electrical device state comprises at least one of an initialization state, a ready state, an operating state, and a power save state

(the at least underlined feature is the first of each of the features anticipated, please see at least column 6, lines 7-10).

As per claim 9, claim 9 is substantially similar to claim 1.

As per claim 10, claim 10 is substantially similar to claim 3.

As per claim 11, claim 11 is substantially similar to claim 4.

As per claim 12, claim 12 is substantially similar to claim 5.

As per claim 13, Nishikawa discloses means for receiving a user selection as to an electrical device state during which the graphic is to be displayed (column 6, lines 46-54 – the animation program discloses and displays printer status which corresponds to the displayed graphics).

As per claim 14, claim 14 contain features that are substantially equivalent to the limitations recited in claim 1. Thus, claim 14, is, therefore, rejected under the same rationale as claim 1. In addition, the Examiner interprets NISHIKAWA to disclose receiving an indication as to how a graphic represented by the selected graphical data is to be displayed (please see figures 8-16 for explanatory views of the invention providing ...techniques) for indicating to a user a status of the apparatus..." (see column 1, lines 13-14)" and figures 8-16 are based on the "... control flow of the process in the printer control system (column 5, lines 52-54) and figures 8-16 show stages of various states of the paper in the printer control process, which corresponds with indication as to how the graphic is to be displayed; and displaying the graphic in a control panel display of the electrical device according to the received indication as to how the graphic is to be displayed

(once again, please see figures 8-16 for explanatory views of the invention providing ...techniques) for indicating to a user a status of the apparatus..." (column 1, lines 13-14)" and figures 8-16 are based on the "... control flow of the process in the printer control system (column 5, lines 52-54)" and figures 8-16 show/display stages of various states of the paper in the printer control process) .

As per claim 15, claim 5 is substantially similar to claim 15.

As per claim 16, Nishikawa discloses receiving an indication of an electrical device state during which the graphic is to be displayed receiving an indication as to how a graphic represented by the selected graphical data is to be displayed (please see figures 8-16 for explanatory views of the invention providing ...techniques) for indicating to a user a status of the apparatus..." (column 1, lines 13-14)" and figures 8-16 are based on the "...control flow of the process in the printer control system (column 5, lines 52-54)" figures and figures 8-16 show stages of various states of the paper in the printer control process).

As per claim 17, claim 8 is substantially similar to claim 17

As per claim 18, claims 5 and 12 are both substantially similar to claim 18.

As per claim 19, claim 14 is substantially similar to claim 19.

As per claim 20, each of claims 4, 11 and 15 are substantially similar to claim 20.

As per claim 21, claim 16 is substantially similar to claim 21.

As per claim 22, Nishikawa discloses facilitating transmission of the graphical data to a printing device (see the at least figure 2, elements 201-206, especially element 205 that transfers acquired information to an animation

program and (column 1, line 62-column 2, line 13 - discuss sending data to the printer means column 5, lines 56-58).

As per claim 23, claim 22 is substantially similar to claim 23.

As per claim 25, claim 22 is substantially similar to claim 25.

As per claim 26, claim 22-23 are both substantially similar to claim 26.

As per claim 28, Nishikawa discloses displaying the graphic in a printing device control panel (the means of figure 3, element 304 is shown at least via figures 8-16 and column 7, lines 31-39)

As per claim 29, claim 28 is substantially similar to claim 29.

As per claim 31, claims 28-29 are substantially similar to claim 31.

As per claim 32, claims 28-29 and 31 are substantially similar to claim 32.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajous Wesner whose telephone number is 571-272-7791. The examiner can normally be reached on Mondays thru Fridays between 11:00 AM and 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wesner Sajous -WS-

2/1/06